



2811

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of
SOWLATI et al.

Atty. Docket US-00-0099A

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SEP 16 2002

Application No. 09/545,785

Group Art Unit: 2811

TECHNOLOGY CENTER 2800

Filed: April 7, 2000

Examiner: O. Nadav

For: INTERDIGITATED MULTILAYER
CAPACITOR STRUCTURE FOR DEEP SUB-
MICRON CMOS

Memorandum of Telephone Interview(s)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

After a number of discussions with the examiner in this case, Examiner Nadav, the last of which occurred on 19 July 2002, the Examiner and the undersigned agreed on the following:

1. A final Office action in the parent case (i.e., before the CPA) was mailed on 9 August 2001.
2. On 9 November 2001 a continued prosecution application (CPA) was mailed by express mail along with a preliminary amendment. However, on the same day (9 November 2001) an amendment under 37 CFR § 116 (in response to the final Office action of 9 August), containing essentially the same amendment and comments, was filed by mailing it along with a certificate of mailing. The CPA was subsequently received in the Office.

3. On 23 January 2002 Examiner Nadav mailed a first Office action.

4. On 12 February 2002 the aforementioned response to the final Office action in the parent application, which had been mailed on 9 November 2001, apparently delayed because of the problems with the U.S. mail the Office was experiencing in previous months, finally arrived at the U.S. Patent and Trademark Office. Although it was clearly marked as a response to the final Office action of 9 August 2001, the response was mistakenly entered as being in response to the Office action that had been mailed on 23 January 2002, 20 days previously.

5. On 9 April 2002 Examiner Nadav, believing that a response to the first Office action had been received, issued a final Office action.

6. On 23 April 2002 the undersigned, having not yet received the final Office action, filed (via facsimile) the actual first response to the first Office action. Although it was clearly marked as a response to the first Office action of 23 January 2002, the response was mistakenly entered as being in response to the final Office action that had been mailed on 9 April 2002, two weeks previously.

7. Recently Examiner Nadav, believing that a response to the final Office action had been received, issued an advisory action (which has not yet been received by the undersigned).

8. Examiner Nadav has agreed to withdraw the final Office action, reconsider the Response of 23 April 2002 as a response to the first Office action of 23 January 2002, and will, if necessary, issue a new final Office action thereafter.

Applicants especially request a telephonic or personal interview with Examiner Nadav be scheduled before any final Office action is issued.

Respectfully submitted,



Eric M. Bram, Reg. 37,285
Attorney for Applicant(s)

U.S. Philips Corp.
580 White Plains Road
Tarrytown, NY 10591
(914) 333-9635

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231

on Sept. 9, 2002

by Elissa DeLucy